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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION

UNITED BRANDS PRODUCTS DESIGN
DEVELOPMENT & MARKETING, INC.

Plaintiff,

v.

CERTAIN UNDERWRITERS AT LLOYD’S,
LONDON DENOTED AS SYNDICATE
NUMBERS AFB 2623 and AFB 623,

Defendant.

Case No. 3:22-cv-00649-TLT (LJC)

**JOINT STIPULATION IN SUPPORT
OF MOTION FOR
ADMINISTRATIVE RELIEF AND
~~PROPOSED~~ ORDER TO VACATE
CASE DEADLINES**

Civil L.R. 7-11, 7-12

JOINT STIPULATION

Pursuant to Northern District of California Local Rules 7-11 and 7-12, Plaintiff/Counter-Defendant United Brands Products Design Development & Marketing, Inc. (“United”) and Defendant/Counter-Plaintiff Certain Underwriters at Lloyd’s, London Denoted as Syndicate Numbers AFB 2623 and AFB 623 (“Beazley”) (together, the “Parties”), by and through their respective undersigned counsel, hereby submit the following joint stipulation and proposed order:

WHEREAS, on July 12, 2023, the Parties entered into a settlement and release of all claims and counterclaim asserted in the present lawsuit;

WHEREAS, the Parties have filed a Notice of Settlement as requested by the Court;

WHEREAS, once payment is effectuated, the Parties will be filing the necessary papers to dismiss the present lawsuit with prejudice;

WHEREAS, on June 8, 2023, United filed a motion for partial summary judgment (“Motion,” ECF No. 84);

WHEREAS, the Parties submitted a discovery dispute submitted to Magistrate Judge Lisa J. Cisneros (ECF Nos. 62, 66);

WHEREAS, pursuant to the Court’s May 2, 2023 Scheduling Order (ECF No. 60) and joint stipulation filed June 23, 2023 (ECF No. 97), the remaining case deadlines are as follows:

Close of Fact Discovery: July 14, 2023

United’s Reply in Support of Motion: July 14, 2023

Expert Reports: July 14, 2023

Rebuttal Expert Reports: July 14, 2023

Expert Discovery: August 8, 2023

Dispositive Motions: August 8, 2023

Dispositive Motions Hearing: September 12, 2023

Joint Pre-Trial Statement: September 28, 2023

Pretrial Conference: October 12, 2023

1 Trial: November 13, 2023

2 WHEREAS, given the settlement agreement, the Parties wish to vacate all pending Court
3 deadlines and case schedule, withdraw their discovery dispute, and ask the Court not to rule on
4 United's Motion.

5 NOW, THEREFORE, the Parties by and through their undersigned counsel of record,
6 hereby agree and stipulate, and respectfully move for administrative relief pursuant to Civil Local
7 Rule 7-11, requesting that the Court vacate all pending Court deadlines and operative case
8 schedule, refrain from ruling on United's Motion, and deem the Parties' discovery dispute
9 withdrawn.

10 Dated: July 14, 2023

THE LESSER GROUP

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12 By: /s/ Don A. Lesser

13 Don A. Lesser

14 Attorneys for Plaintiff/Counter-Defendant

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16 Dated: July 14, 2023

TROUTMAN PEPPER HAMILTON
SANDERS LLP

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18 By: /s/ Kevin F. Kieffer

19 Kevin F. Kieffer

20 Attorneys for Defendant/Counter-Plaintiff
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~~PROPOSED~~ ORDER

Pursuant to the foregoing stipulation of the Parties, and good cause appearing, it is hereby ORDERED as follows:

1. All pending deadlines and the operative case schedule are vacated;
2. The Court will refrain from ruling or taking any other action on United's Motion; and
3. The Parties' discovery dispute submitted to Magistrate Judge Cisneros is withdrawn.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

IT IS SO ORDERED.

Dated: July 14, 2023



Trina L. Thompson

UNITED STATES DISTRICT JUDGE